

associated with the court that is incompatible with the trust and confidence placed in him as a judge, as follows:

(1) Judge Kent is a United States District Judge in the Southern District of Texas. From 1990 to 2008, he was assigned to the Galveston Division of the Southern District, and his chambers and courtroom were located in the United States Post Office and Courthouse in Galveston, Texas.

(2) Cathy McBroom was an employee of the Office of the Clerk of Court for the Southern District of Texas, and served as a Deputy Clerk in the Galveston Division assigned to Judge Kent's courtroom.

(3) On one or more occasions between 2003 and 2007, Judge Kent sexually assaulted Cathy McBroom, by touching her private areas directly and through her clothing against her will and by attempting to cause her to engage in a sexual act with him.

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE II

Incident to his position as a United States district court judge, Samuel B. Kent has engaged in conduct with respect to employees associated with the court that is incompatible with the trust and confidence placed in him as a judge, as follows:

(1) Judge Kent is a United States District Judge in the Southern District of Texas. From 1990 to 2008, he was assigned to the Galveston Division of the Southern District, and his chambers and courtroom were located in the United States Post Office and Courthouse in Galveston, Texas.

(2) Donna Wilkerson was an employee of the United States District Court for the Southern District of Texas.

(3) On one or more occasions between 2001 and 2007, Judge Kent sexually assaulted Donna Wilkerson, by touching her in her private areas against her will and by attempting to cause her to engage in a sexual act with him.

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE III

Samuel B. Kent corruptly obstructed, influenced, or impeded an official proceeding as follows:

(1) On or about May 21, 2007, Cathy McBroom filed a judicial misconduct complaint with the United States Court of Appeals for the Fifth Circuit. In response, the Fifth Circuit appointed a Special Investigative Committee (hereinafter in this article referred to as "the Committee") to investigate Cathy McBroom's complaint.

(2) On or about June 8, 2007, at Judge Kent's request and upon notice from the Committee, Judge Kent appeared before the Committee.

(3) As part of its investigation, the Committee sought to learn from Judge Kent and others whether he had engaged in unwanted sexual contact with Cathy McBroom and individuals other than Cathy McBroom.

(4) On or about June 8, 2007, Judge Kent made false statements to the Committee regarding his unwanted sexual contact with Donna Wilkerson as follows:

(A) Judge Kent falsely stated to the Committee that the extent of his unwanted sexual contact with Donna Wilkerson was one kiss, when in fact and as he knew he had engaged in repeated sexual contact with Donna Wilkerson without her permission.

(B) Judge Kent falsely stated to the Committee that when told by Donna Wilkerson his advances were unwelcome no further contact occurred, when in fact and as he knew, Judge Kent continued such advances even after she asked him to stop.

(5) Judge Kent was indicted and pled guilty and was sentenced to imprisonment for the felony of obstruction of justice in violation of section 1512(c)(2) of title 18, United States Code, on the basis of false statements made to the Committee. The sentencing judge described his conduct as "a stain on the justice system itself".

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE IV

Judge Samuel B. Kent made material false and misleading statements about the nature and extent of his nonconsensual sexual contact with Cathy McBroom and Donna Wilkerson to agents of the Federal Bureau of Investigation on or about November 30, 2007, and to agents of the Federal Bureau of Investigation and representatives of the Department of Justice on or about August 11, 2008.

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

□ 1315

CALL OF THE HOUSE

Mr. SENSENBRENNER. Mr. Speaker, under clause 7 of rule XX, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 414]

Abercrombie	Capps	Ellsworth
Aderholt	Cardoza	Emerson
Adler (NJ)	Carnahan	Engel
Akin	Carney	Etheridge
Alexander	Carson (IN)	Fallin
Altmire	Carter	Filner
Andrews	Cassidy	Flake
Arcuri	Castle	Fleming
Austria	Castor (FL)	Forbes
Baca	Chaffetz	Fortenberry
Bachus	Chandler	Foster
Baird	Childers	Fox
Baldwin	Clarke	Franks (AZ)
Barrow	Clay	Frelighuysen
Bartlett	Cleaver	Fudge
Barton (TX)	Clyburn	Galleghy
Bean	Coble	Garrett (NJ)
Becerra	Coffman (CO)	Gerlach
Berkley	Cohen	Giffords
Berry	Cole	Gingrey (GA)
Biggart	Conaway	Gohmert
Bilbray	Connolly (VA)	Gonzalez
Bilirakis	Conyers	Goodlatte
Bishop (UT)	Cooper	Gordon (TN)
Blackburn	Costa	Granger
Blumenauer	Costello	Graves
Blunt	Courtney	Grayson
Boccieri	Crenshaw	Green, Al
Boehner	Crowley	Green, Gene
Bonner	Cuellar	Griffith
Bono Mack	Culberson	Grijalva
Boozman	Cummings	Guthrie
Boren	Dahlkemper	Gutierrez
Boswell	Davis (CA)	Hall (NY)
Boustany	Davis (IL)	Hall (TX)
Boyd	Davis (KY)	Halvorson
Brady (PA)	Davis (TN)	Hare
Brady (TX)	DeGette	Harper
Braley (IA)	DeLauro	Hastings (FL)
Bright	Dent	Hastings (WA)
Broun (GA)	Diaz-Balart, L.	Heinrich
Brown (SC)	Diaz-Balart, M.	Heller
Brown, Corrine	Dicks	Hensarling
Brown-Waite,	Doggett	Herge
Ginny	Donnelly (IN)	Herseth Sandlin
Buchanan	Doyle	Higgins
Butterfield	Dreier	Hill
Buyer	Driebehaus	Himes
Calvert	Duncan	Hinchey
Camp	Edwards (MD)	Hinojosa
Campbell	Edwards (TX)	Hirono
Cantor	Ehlers	Hodes
Cao	Ellison	Hoekstra
Capito		Holden

Holt	McMahon	Ryan (OH)
Honda	McMorris	Ryan (WI)
Hoyer	Rodgers	Salazar
Hunter	McNerney	Sanchez, Loretta
Inglis	Meek (FL)	Sarbanes
Inslee	Meeks (NY)	Scalise
Israel	Mica	Schakowsky
Issa	Michaud	Schauer
Jackson (IL)	Miller (FL)	Schiff
Jackson-Lee	Miller (MI)	Schmidt
(TX)	Miller (NC)	Schock
Jenkins	Miller, Gary	Schrader
Johnson (GA)	Miller, George	Schwartz
Johnson (IL)	Minnick	Scott (GA)
Johnson, E. B.	Mitchell	Scott (VA)
Johnson, Sam	Mollohan	Sensenbrenner
Jones	Moore (KS)	Serrano
Jordan (OH)	Moore (WI)	Shea-Porter
Kagen	Moran (KS)	Sherman
Kaptur	Moran (VA)	Shimkus
Kildee	Murphy (CT)	Shuler
Kilroy	Murphy (NY)	Shuster
Kind	Murphy, Patrick	Simpson
King (IA)	Murphy, Tim	Sires
King (NY)	Murtha	Skelton
Kingston	Myrick	Slaughter
Kirk	Nadler (NY)	Smith (NE)
Kirkpatrick (AZ)	Napolitano	Smith (NJ)
Kissell	Neal (MA)	Smith (TX)
Klein (FL)	Neugebauer	Smith (WA)
Kosmas	Nunes	Snyder
Kratovil	Nye	Souder
Kucinich	Oberstar	Space
Lamborn	Obey	Spratt
Lance	Olson	Stearns
Langevin	Olver	Stupak
Larsen (WA)	Ortiz	Sutton
Larson (CT)	Pascarell	Tanner
Latham	Pastor (AZ)	Tauscher
Latta	Paul	Taylor
Lee (CA)	Paulsen	Teague
Lee (NY)	Payne	Terry
Levin	Pence	Thompson (CA)
Lewis (CA)	Perlmutter	Thompson (MS)
Linder	Perriello	Thompson (PA)
Lipinski	Peters	Thornberry
LoBiondo	Peterson	Tiahrt
Loeback	Petri	Tiberti
Lofgren, Zoe	Pingree (ME)	Tierney
Lowe	Pitts	Titus
Lucas	Platts	Tonko
Luetkemeyer	Poe (TX)	Towns
Lujan	Polis (CO)	Tsongas
Lummis	Pomeroy	Turner
Lungren, Daniel	Posey	Upton
E.	Price (GA)	Van Hollen
Lynch	Price (NC)	Visclosky
Mack	Putnam	Walden
Maffei	Quigley	Walz
Maloney	Radanovich	Wamp
Manzullo	Rahall	Wasserman
Marchant	Rehberg	Schultz
Markey (CO)	Reichert	Waters
Markey (MA)	Reyes	Watson
Marshall	Richardson	Watt
Massa	Rodriguez	Weiner
Matheson	Roe (TN)	Welch
Matsui	Rogers (AL)	Wexler
McCarthy (CA)	Rogers (KY)	Whitfield
McCarthy (NY)	Rogers (MI)	Wilson (OH)
McCaul	Rohrabacher	Wilson (SC)
McClintock	Rooney	Wittman
McCollum	Ros-Lehtinen	Wolf
McCotter	Roskam	Woolsey
McDermott	Ross	Wu
McGovern	Rothman (NJ)	Yarmuth
McHenry	Roybal-Allard	Young (AK)
McHugh	Royce	Young (FL)
McIntyre	Ruppersberger	
McKeon	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JACKSON of Illinois) (during the vote). There are 2 minutes remaining in the call of the House.

□ 1333

The SPEAKER pro tempore. 395 Members have recorded their presence. A quorum is present.

IMPEACHING JUDGE SAMUEL B. KENT

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CONYERS) is recognized for 1 hour.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. I yield 30 minutes to the distinguished ranking member of the Judiciary Committee, LAMAR SMITH of Texas, and ask unanimous consent that he be allowed to control the time on his side for purposes of debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. I yield myself as much time as I may consume.

Mr. Speaker and my colleagues, we are here today to perform one of the most solemn duties under the Constitution, which is to consider the impeachment of a sitting member of the judiciary, a Federal judge, who, but for the congressional power of impeachment, holds a life tenure on his office.

The judge in question, Samuel B. Kent of the United States District Court for the Southern District of Texas, has already pled guilty to obstruction of justice and has entered into and is residing in a Federal prison at this moment.

The Judiciary Committee's independent investigation, conducted admirably by a special task force established for that purpose and led by the gentleman from California (Mr. SCHIFF), has concluded that the charge underlying that guilty plea is overwhelmingly borne out by the evidence, as are the related charges of repeated sexual assault against various court employees under his supervision.

Judge Kent's conduct is described in greater detail in the report filed by our committee, which voted unanimously 29-0 to recommend four articles of impeachment to the House. The court documents and other materials are available on the committee's Web site.

Of the three branches of government devised by the framers of our Constitution, only the judicial branch is insulated from the accountability of standing for election. This is by design. The other two branches, the legislative and the executive, are designed to be democratically responsible to the people, but the judicial branch is designed to be independent, to interpret the laws passed by the Congress without favor and without fear of political reprisal.

And so, article III, section 1 provides that Federal judges hold their offices during "good behavior." And when a

judge abuses his power, when by his conduct he proves himself unfit to hold his office, he cannot be turned out by the voters; instead, it falls to the Congress to ensure that the public trust of that office is protected through the power of impeachment.

Congress has used this power sparingly. In our Nation's history, only 13 Federal judges have been impeached, and even fewer convicted. Needless to say, the conduct at issue here is both shocking and shameful. In due course, many of the disturbing details of Judge Kent's appalling conduct will more than likely be revealed, but now I want to emphasize for the Members the following points:

The committee is recommending impeachment not merely on the fact that the judge has pleaded guilty and has been sentenced to prison; rather, it is his conduct—making false statements to his fellow judges in an official inquiry and sexually assaulting courthouse personnel—that the committee has independently determined to constitute high crimes and misdemeanors warranting his impeachment and removal from office.

The Judiciary Committee has determined overwhelmingly and unanimously, after most careful examination, that the judge's conduct plainly renders him unfit to remain a Federal judge.

Entrusted to use the power of his office to dispatch justice impartially, this judge abused his power blatantly, with partiality and favor, for his own personal gain. Entrusted to render justice, he has instead sought to evade it. Only Congress can remove Judge Kent from office. Until we do so, he will continue to draw a salary as a sitting Federal judge, even from his prison cell.

While the executive can prosecute him and the judiciary can impose punishment for his criminal conviction, only the Congress of the United States has the power to remove him from office, and that is our constitutional duty here today.

I bring this resolution to the floor with heavy regret that we are even called upon to take such action. But let it be clear, I have no doubt that this member of the judiciary must be removed from the office that he has so blatantly abused. The evidence is overwhelming and the grounds for impeachment perfectly clear. I therefore urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are here today to consider and vote on Articles of Impeachment following U.S. District Judge Samuel Kent's guilty plea and sentencing.

Judge Kent is a convicted felon who pleaded guilty to obstruction of justice and lying to a panel of his Federal judges who were investigating allega-

tions that he sexually assaulted two women on his staff.

Following Judge Kent's guilty plea and sentencing, the House authorized the Judiciary Committee to undertake an inquiry into whether the House should impeach Judge Kent. Recently, the Impeachment Task Force of the Judiciary Committee heard testimony from two women whom Judge Kent sexually assaulted. Their testimony about Judge Kent's conduct was troubling, especially because Judge Kent abused his authority as a Federal judge to intimidate his staff into silence. Judge Kent has refused to appear before the committee. Judge Kent continues to abuse his position of authority by refusing to resign immediately. Instead, he sent a letter to President Obama tendering his resignation effective June 1, 2010.

Last Monday, Judge Kent reported to Federal prison to serve a 33-month prison sentence. By resigning effective June 1, 2010, Judge Kent is attempting to collect his full judicial salary for another year, even while he sits in prison. That's why we are here today, to take the next step to putting an end to Judge Kent's abusive authority and exploitation of American taxpayers.

On Wednesday, June 10, the Judiciary Committee unanimously approved four Articles of Impeachment against Judge Kent. Two of the articles relate to his sexual misconduct, and two of the articles relate to Judge Kent's lying about his conduct.

I am not unsympathetic to the claims that Judge Kent endured difficult personal tragedies and may suffer from mental illness; however, he does not have the right to continue to serve as a Federal judge and collect a taxpayer-funded salary while sitting in prison for felony obstruction of justice.

Judge Kent has remained on the bench long after he sexually assaulted two women and lied to law enforcement officials. It is now time for justice; justice for the American people who have been exploited by a judge who violated his oath of office and obstructed justice by lying, and justice for the victims who were subjected to abuse and humiliation.

Although his attorney claims that Congress has "better things to do," ensuring that a Federal judge convicted of a felony does not receive a taxpayer-funded salary while sitting in jail is important to our system of justice and a priority of this Congress. Every day that Judge Kent remains on the bench is one day too long.

I urge my colleagues to vote in favor of these Articles of Impeachment to restore integrity to the Federal bench. And I hope the Senate will act quickly to ensure swift justice for Judge Kent, his victims, and the American people.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I am pleased now to recognize one of our most distinguished members of the Judiciary Committee who headed the